

\*60107 220 ILCS 5/9-201

Formerly cited as IL ST CH 111 2/3 ¶ 9-201

WEST'S SMITH-HURD  
ILLINOIS COMPILED  
STATUTES ANNOTATED  
CHAPTER 220. UTILITIES  
ACT 5. PUBLIC UTILITIES  
ACT  
ARTICLE IX. RATES

*Current through P.A. 91-111, apv. 7/14/  
1999*

5/9-201. Change of rates or other matters--  
Notice--New schedules--Suspension of  
rates--Hearings

§ 9-201. (a) Unless the Commission otherwise orders, and except as otherwise provided in this Section, no change shall be made by any public utility in any rate or other charge or classification, or in any rule, regulation, practice or contract relating to or affecting any rate or other charge, classification or service, or in any privilege or facility, except after 45 days' notice to the Commission and to the public as herein provided. Such notice shall be given by filing with the Commission and keeping open for public inspection new schedules or supplements stating plainly the change or changes to be made in the schedule or schedules then in force, and the time when the change or changes will go into effect, and by publication in a newspaper of general circulation or such other notice to persons affected by such change as may be prescribed by rule of the Commission. The Commission, for good cause shown, may allow changes without requiring the 45 days' notice herein provided for, by an order specifying the changes so to be made and the time when they shall take effect and the manner in which they shall be filed and published.

When any change is proposed in any rate or other charge, or classification, or in any rule, regulation, practice, or contract relating to or

affecting any rate or other charge, classification or service, or in any privilege or facility, such proposed change shall be plainly indicated on the new schedule filed with the Commission, by some character to be designated by the Commission, immediately preceding or following the item.

When any public utility providing water or sewer service proposes any change in any rate or other charge, or classification, or in any rule, regulation, practice, or contract relating to or affecting any rate or other charge, classification or service, or in any privilege or facility, such utility shall, in addition to the other notice requirements of this Act, provide notice of such change to all customers potentially affected by including a notice and description of such change, and of Commission procedures for intervention, in the first bill sent to each such customer after the filing of the proposed change.

\*60108 (b) Whenever there shall be filed with the Commission any schedule stating an individual or joint rate or other charge, classification, contract, practice, rule or regulation, the Commission shall have power, and it is hereby given authority, either upon complaint or upon its own initiative without complaint, at once, and if it so orders, without answer or other formal pleadings by the interested public utility or utilities, but upon reasonable notice, to enter upon a hearing concerning the propriety of such rate or other charge, classification, contract, practice, rule or regulation, and pending the hearing and decision thereon, such rate or other charge, classification, contract, practice, rule or regulation shall not go into effect. The period of suspension of such rate or other charge, classification, contract, practice, rule or regulation shall not extend more than 105 days beyond the time when such rate or other charge, classification, contract, practice, rule or regulation would otherwise go into effect unless the Commission, in its discretion, extends the period of suspension for a further period not exceeding 6 months.

All rates or other charges, classifications,

contracts, practices, rules or regulations not so suspended shall, on the expiration of 45 days from the time of filing the same with the Commission, or of such lesser time as the Commission may grant, go into effect and be the established and effective rates or other charges, classifications, contracts, practices, rules and regulations, subject to the power of the Commission, after a hearing had on its own motion or upon complaint, as herein provided, to alter or modify the same.

Within 30 days after such changes have been authorized by the Commission, copies of the new or revised schedules shall be posted or filed in accordance with the terms of Section 9-103 of this Act, in such a manner that all changes shall be plainly indicated.

(c) If the Commission enters upon a hearing concerning the propriety of any proposed rate or other charge, classification, contract, practice, rule or regulation, the Commission shall establish the rates or other charges, classifications, contracts, practices, rules or regulations proposed, in whole or in part, or others in lieu thereof, which it shall find to be just and reasonable. In such hearing, the burden of proof to establish the justness and reasonableness of the proposed rates or other charges, classifications, contracts, practices, rules or regulations, in whole and in part, shall be upon the utility. No rate or other charge, classification, contract, practice, rule or regulation shall be found just and reasonable unless it is consistent with Sections of this Article.

#### CREDIT(S)

1993 Main Volume

*Laws 1921, p. 702, § 9-201, added by P.A. 84-617, § 1, eff. Jan. 1, 1986.*

#### FORMER REVISED STATUTES CITATION

1993 Main Volume

*Formerly Ill.Rev.Stat.1991, ch. 111 2/3, ¶ 9-201.*

<General Materials (GM) - References,  
Annotations, or Tables>

#### HISTORICAL NOTES

#### HISTORICAL AND STATUTORY NOTES

##### Prior Laws:

Laws 1913, p. 478, § 36.  
Laws 1921, p. 702, art. IV, § 36.  
Laws 1933, p. 841, § 1.  
Laws 1955, p. 2022, § 1.  
Laws 1961, p. 1403, § 1.  
Laws 1965, p. 1679, § 1.  
P.A. 79-1137, § 1.  
P.A. 80-1158, § 1.  
\*60109 P.A. 82-1042, § 1.  
P.A. 83-241, § 1.  
P.A. 83-630, § 1.  
P.A. 83-945, § 23.  
P.A. 83-1120, § 1.  
P.A. 83-1362, Art. II, § 124.  
P.A. 83-1535, § 1.  
P.A. 83-1540, § 1.  
P.A. 84-126, Art. VI, § 23, eff. Aug. 1, 1985.  
P.A. 84-166, § 3, eff. Aug. 16, 1985.  
P.A. 84-307, § 3, eff. Sept. 14, 1985.  
P.A. 84-832, Art. II, § 14, eff. Sept. 23, 1985.  
Ill.Rev.Stat.1983, ch. 111 2/3, ¶ 36.

#### REFERENCES

#### CROSS REFERENCES

Negotiated rates, proprietary and confidential contracts, exemption from this section, see 220 ILCS 5/9-102.1.

#### ADMINISTRATIVE CODE REFERENCES

Electric utilities, energy from cogeneration and small power production facilities, purchase and sale, see 83 Ill. Adm. Code 430.10 et seq.  
Filing requirements, see 83 Ill. Adm. Code 285.110 et seq.  
Notice requirements, see 83 Ill. Adm. Code 255.10 et seq.  
Purchased gas adjustment clause, see 83 Ill. Adm. Code 525.10 et seq.

#### LAW REVIEW AND JOURNAL COMMENTARIES

Illinois commerce commission. Robert L. Tarrel, 1973, 22 DePaul L.Rev. 779.